

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE UBS AG SECURITIES LITIGATION

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No. 07 Civ. 11225 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of Defendants' letters, dated March 17, 2010, responding to Plaintiffs' request that the Court (1) consider documents relating to the New York Attorney General's settlement with David Shulman and (2) postpone consideration of only Defendants' 12(b)(1) motion pending the Supreme Court's decision in *Morrison v. National Australia Bank Ltd.*, No. 08-1191. The Court agrees with Defendants that it should not consider the 12(b)(1) motion or the 12(b)(6) motions prior to the Supreme Court's decision in *Morrison*. Since that decision may significantly impact the motions and parties before the Court and also may not be issued until June 28, 2010, IT IS HEREBY ORDERED that Defendants' 12(b)(1) motion and 12(b)(6) motions are denied without prejudice and with leave to renew after the Supreme Court's decision in *Morrison*. IT IS FURTHER ORDERED that the parties shall submit a joint status letter, not to exceed three pages, to be received within one week of the Supreme Court's decision in *Morrison*, informing the Court whether, in light of the decision, the parties would like to renew their motions or otherwise proceed. At that point, if necessary, the Court will decide whether it may properly consider documents related to the Shulman settlement.

The Clerk of the Court is instructed to terminate the motions located at docket numbers 116, 119, and 127.

SO ORDERED.

Dated: March 18, 2010
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE